

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION

IN RE: )  
 )  
ITT EDUCATIONAL SERVICES, INC., *et al.*<sup>1</sup> ) Case No. 16-07207-JMC-7A  
 )  
Debtors. ) Jointly Administered

**REPORT OF SALE FOR PERSONAL  
PROPERTY OWNED BY DANIEL WEBSTER COLLEGE, INC.**

Deborah J. Caruso, the chapter 7 trustee in this case (the “Trustee”), by counsel, pursuant to Rule 6004(f)(1) of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”), reports as follows:

1. On July 9, 2017, the Court entered its *Order Granting Trustee’s Motion to Sell at Private Sale or Auction Personal Property Free and Clear of All Liens, Encumbrances, Claims and Interests* (the “Initial Sale Order”) [Doc 1945], authorizing the Trustee to sell the remaining tangible personal property (the “Remaining Personal Property”) owned by Daniel Webster College, Inc. (“DWC”), free and clear of all liens, encumbrances, claims and interests. The Initial Sale Order authorized the Trustee and/or her agent, A&G Realty Partners, LLC, to immediately conduct sales of the Remaining Personal Property without further order from the Court.

2. On September 6, 2017, the Trustee filed the *Trustee’s Motion to (I) Sell Real Estate Located in Nashua, New Hampshire, and Certain Personal Property Located Thereon, Free and Clear of All Liens, Encumbrances, Claims and Interests, at Auction with No Previously Identified Initial Bidder, and (II) to Assume and Assign Certain Leases* (the “Subsequent Sale”

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<sup>1</sup> The debtors in these cases, along with the last four digits of their respective federal tax identification numbers are ITT Educational Services, Inc. [1311]; ESI Service Corp. [2117]; and Daniel Webster College, Inc. [5980].

Motion”) [Doc 2044], requesting, in part, authority to sell the real estate owned by DWC and all the Remaining Personal Property, at auction, free and clear of all liens, encumbrances, claims and interests. At the time of the filing of the Subsequent Sale Motion, the Trustee had not sold any of the Remaining Personal Property.

3. As noted in the Subsequent Sale Motion, notwithstanding the prior authorization to sell the Remaining Personal Property pursuant to the Initial Sale Order, the Trustee was seeking additional authority to sell the Remaining Personal Property in connection with the sale of the real estate owned by DWC. [Subsequent Sale Motion at n. 3.]

4. On October 25, 2017, the Court entered its *Order Granting Trustee’s Motion to (I) Sell Real Estate Located in Nashua, New Hampshire, and Certain Personal Property Located Thereon, Free and Clear of All Liens, Encumbrances, Claims and Interests, at Auction with No Previously Identified Initial Bidder, and (II) to Assume and Assign Certain Leases* (the “Subsequent Sale Order”) [Doc 2164], granting the requested relief in the Subsequent Sale Motion.

5. On June 25, 2021, the Trustee filed the following reports of sale in connection with the Subsequent Sale Order:

- (a) *Report of Sale for Tracts 1-4 Located in Hillsborough County, New Hampshire and Certain Personal Property Located Thereon* (the “Report of Sale for Tracts 1-4”) [Doc 4377]; and
- (b) *Report of Sale for Tracts 5-8 Located in Hillsborough County, New Hampshire and Certain Personal Property Located Thereon* (the “Report of Sale for Tracts 5-8”) [Doc 4378].

6. These reports of sale contained the sale information for all the Remaining Personal Property sold by the Trustee, including but not limited to, the following:

- (a) As reported in the Report of Sale for Tracts 1-4, on December 15, 2017, Tracts 1-4 and the Remaining Personal Property located thereon was sold to Xinhua

Education Consulting Services Corporation (as assignee of the original purchaser, Sui Liu) for the total purchase price of \$11,600,000.00 (\$10,600,000.00 for Tracts 1-4 and \$1,000,000.00 for the Remaining Personal Property located thereon).

- (b) As reported in the Report of Sale for Tracts 5-8, on October 31, 2017, Tracts 5-8 and the Remaining Personal Property located thereon was sold to Southern New Hampshire University for the total purchase price of \$410,000.00 (\$400,000.00 for Tracts 5-8 and \$10,000.00 for the Remaining Personal Property located thereon). Accordingly, the Trustee sold the Remaining Personal Property for a total gross sale price of \$1,010,000.00.

7. For purposes of reporting on the sale of the Remaining Personal Property as approved by the Initial Sale Order, the Trustee hereby incorporates by reference, the Report of Sale for Tracts 1-4 and the Report of Sale for Tracts 5-8 that were approved by the Court pursuant to the Orders entered on July 1, 2021 (the “Report of Sale Orders”) [Docs 4386 and 4387].

8. Pursuant to the *Notice, Case Management and Administrative Procedures* (the “Case Management Procedures”) approved by the Court on October 4, 2016 [Doc 220], the Trustee will serve a copy of this report on the following (as defined in the Case Management Procedures): (a) the Core Group; (b) the Request for Notice List; and (c) the Appearance List.

9. The Trustee requests that this report be exempt from the notice and hearing requirements under the Case Management Procedures and the requested relief be granted without further notice.

**WHEREFORE**, the Trustee respectfully requests entry of an order approving this report and granting the Trustee all other just and proper relief.

Respectfully submitted,

RUBIN & LEVIN, P.C.

By: /s/ Meredith R. Theisen

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### **CERTIFICATE OF SERVICE**

I hereby certify that on July 27, 2023, a copy of the foregoing *Report of Sale for Personal Property Owned by Daniel Webster College, Inc.* was filed electronically. Pursuant to Section IV.C.3(a) of the Case Management Procedures, notice of this filing will be sent to the following parties through the Court's Electronic Case Filing System. Parties may access this filing through the Court's system.

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I further certify that on July 27, 2023, pursuant to Section IV.C.3(c) of the Case Management Procedures, a copy of the foregoing *Report of Sale for Personal Property Owned by Daniel Webster College, Inc.* was emailed to the following:

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